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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,266	03/05/2002	Gael Mace	PF010020	6430

7590 12/12/2007

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EXAMINER	
NGUYEN, CINDY	
ART UNIT	**PAPER NUMBER**
2161	

MAIL DATE	DELIVERY MODE
12/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/091,266	MACE ET AL.	
	Examiner	Art Unit	
	Cindy Nguyen	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 7-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 7-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This is response to communication filed 09/20/07.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 7, 8, 9, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins et al. (US 6587480) (Higgins) in view of Duso et al. (US 6625750, hereafter Duso).

Regarding claim 1, Higgins disclose: Method for isochronous file transfer in a network for transmission of audio/video data (i.e., the first isochronous device capable of initiating a request to the second isochronous device to transfer multimedia information form the second isochronous device to the first isochronous device, col. 8, lines 35-40, Higgins), comprising the steps, at the level of a client application (i.e., browse step 310, fig. 3 and corresponding text, Higgins) of:

- causing a client device to request the opening of an isochronous connection between the client device and a source device (i.e., the controlling client requests an isochronous user information path (or, synonymously, a "circuit connection") in a request connection step 340, fig. 3, Higgins);

- causing the client device to specify a file to be transferred from the source device to the client device in an isochronous manner over the connection (i.e., the remote client responds by accepting the isochronous circuit connection in a acceptance step 350 and controlled client exports the capability to play a variety of video formatted files on the isochronous streams, col. 15, lines 8-15, Higgins);

However, Higgins didn't disclose: causing the client device to specifying a starting point, within said file, and from which the transfer is to be carried out. On the other hand, Duso discloses: causing the client device to specifying a starting point, within said file, and from which the transfer is to be carried out (i.e., a start record command for the stream is an valid client request, the start record command must include a handle to identify the stream for which recording is to begin... see col. 35, lines 18-26; i.e., VCR like functionality that includes commands to play, record, pause, restart and rewind, CMFAP also supports a set of management commands for opining and closing streams... see also col. 34, lines 48-62; col. 25, lines 60-65, Duso);

causing the client device to request initiation of the file transfer from the starting point (i.e., a start record command for the stream is an valid client request, the start record command must include a handle to identify the stream for which recording is to begin... see col. 35, lines 18-26; i.e., VCR like functionality that includes commands to play, record, pause,

restart and rewind, CMFAP also supports a set of management commands for opening and closing streams... see also col. 34, lines 48-62; col. 25, lines 60-65, Duso).

Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein the step of causing the client device to specifying a starting point, within said file, and from which the transfer is to be carried out in the system of Higgins as taught by Duso. The motivation being to allowing the user control of the device and its functional components

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Higgins/Duso discloses: wherein said starting point is specified in the request for opening the connection (i.e., a start record command for the stream is an valid client request, the start record command must include a handle to identify the stream for which recording is to begin... see col. 35, lines 18-26; i.e., VCR like functionality that includes commands to play, record, pause, restart and rewind, CMFAP also supports a set of management commands for opening and closing streams... see also col. 34, lines 48-62; col. 25, lines 60-65, Duso).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claims 1 and 2. In addition, Higgins/Duso discloses: Device for connection to a network for transmission of audio/video data (i.e., the first isochronous device capable of initiating a request to the second isochronous device to transfer multimedia

information form the second isochronous device to the first isochronous device, col. 8, lines 35-40, Higgins), comprising: a recording medium for storing isochronous files (col. 17, lines 30-36, Higgins);

a functional components module (i.e., functions: 10base-T hub repeater, B channel switch, isoEthernet interfaces..., col. 11, lines 61 to col. 12, lines 8, Higgins) providing an application programmable interface for access (isoEthernet interfaces, col. 11, lines 64, Higgins) to said recording medium by a client device (i.e. isochronous client device, col. 13, lines 24-25, Higgins) wherein the application programmable interface comprises a method for transferring an isochronous file over an isochronous connection to the client device starting from a starting point in the file, specified by the client device ((i.e., the remote client responds by accepting the isochronous circuit connection in a acceptance step 350 and controlled client exports the capability to play a variety of video formatted files on the isochronous streams, col. 15, lines 8-15, Higgins).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 8. In addition, Higgins/Duso discloses: wherein the application programmable interface comprises : methods for acting upon isochronous connections and files (i.e., the remote client responds by accepting the isochronous circuit connection in a acceptance step 350 and controlled client exports the capability to play a variety of video formatted files on the isochronous streams, col. 15, lines 8-15, Higgins); methods

for acting upon asynchronous connections and files (i.e., an ATM hub provides bridging between the multimedia chassis and/or one or more multimedia hubs, col. 12, lines 9-17, Higgins); file type (audio/video) independent methods for acting upon both asynchronous and isochronous files (i.e., audio/video can transfer as asynchronous, col. 12, lines 9-17 and transfer as isochronous as col. 15, lines 55-64, Higgins).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claims 1 and 2. In addition, Higgins/Duso discloses: method for isochronous file transfer in a network for transmission of audio/video data, at the level of a source device comprising a recording medium for storing isochronous file, comprising the steps of: receiving from a client device a method call including a request to transmit for transmitting an isochronous file to the client device over an isochronous connection with the client device, from a staring point specified in the request (i.e., the controlling client requests an isochronous user information path (or, synonymously, a "circuit connection") in a request connection step 340, fig. 3, Higgins);; initiating the file transfer from the starting point (i.e., the first isochronous device capable of initiating a request to the second isochronous device to transfer multimedia information form the second isochronous device to the first isochronous device, col. 8, lines 35-40, Higgins).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Higgins/Duso discloses: wherein the method call is a method call for setting up the isochronous connection (col. 14, lines 16-48, Higgins).

Claims 2, 10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins et al. (US 6587480) (Higgins) in view of Duso et al. (US 6625750, hereafter Duso) and further in view of Zondag (US 6389466).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1above. However, Higgins/Duso didn't disclose: wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred, wherein said file manager functional component module provides an application programmable interface for access by said client application.

On the other hand, Zondag discloses: wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device (i.e., FCM, col. 9, lines 1-20, Zondag) for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred (col. 10, lines 10-15, Zondag), wherein said file manager functional component module provides an application programmable interface for access by said client application (col. 10, lines 21-25, Zondag). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred, wherein said file manager

functional component module provides an application programmable interface for access by said client application recited in the system of Higgins/Duso as taught by Zondag. The motivation being to provide a software element allowing the user control of the device and its functional components (col. 9, lines 21-24, Zondag).

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claims 8 or 9 above. However, Higgins/Duso didn't disclose: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous and isochronous files. On the other hand, Zondag discloses: wherein the application programmable further comprises methods for acting upon directories of both asynchronous and isochronous files (col. 10, lines 11-25, Zondag). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include methods for acting upon directories of both asynchronous and isochronous files in the system of Higgins/Duso as taught by Zondag. The motivation being to provide a software element allowing the user control of the device and its functional components (col. 9, lines 21-24, Zondag).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11 above. in addition, Higgins/Duso /Zondog disclose: wherein the called method is part of an application programmable interface of a file manager functional component module for managing the recording medium (i.e. other applications can query the registry to find out the devices and functional components

available and to get a software element identifier to allow them to interact with the device via a AR and the FCMs, col. 11, lines 20-32, Zondog), further comprising the step of having the source device establish, using its local registry service a global directory comprising directories of all file manager functional component module compatible devices in the network (i.e., the FCM is a software object in the sense that it is registered as a receiver in the registry and it can communicate with other objects via the messaging system, col. 11, lines 32-45, Zondog). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include an application programmable interface of a file manager functional component module for managing the recording medium, further comprising the step of having the source device establish, using its local registry service a global directory comprising directories of all file manager functional component module compatible devices in the network in the system of Higgins/Duso as taught by Zondag. The motivation being to provide a software element allowing the user control of the device and its functional components (col. 9, lines 21-24, Zondag).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 12 above. in addition, Higgins/Duso /Zondog disclose: further comprising the step of including directories of devices managed by an Avdisc functional component module in the global directory (i.e., registry serves as a directory service, allows any object to locate another object on the home network, col. 10, lines 24-25 and col. 9, lines 10-13, Zondog).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cindy Nguyen

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ETIENNE LEROUX
PRIMARY EXAMINER